

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Jamie Aymar
fka Jamie Aymar
Debtor(s)

Bankruptcy Case No.: 19-24738-CMB
Per January 12, 2020 Proceeding
Chapter: 13
Docket No.: 28 – 6
Concil. Conf.: July 16, 2020 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 9, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jul. 16, 2020 at 10:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: IRS (CI #4). PA Revenue (CI #3) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: January 24, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jamie Aymar
 Debtor

Case No. 19-24738-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: gamr
 Form ID: 149

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 Total Noticed: 46

Date Rcvd: Jan 24, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 26, 2020.

db
 15168828 +Jamie Aymar, 3119 Ridge Road, South Park, PA 15129-9335
 15168829 +Allegheny Clinic Pediatrics, Box 645351, Pittsburgh, PA 15264-5251
 15168833 +Allegheny Health Network, Box 645266, Pittsburgh, PA 15264-5250
 15168836 +Assoc Credit Services, 115 Flanders Rd ste 140, Westborough, MA 01581-1087
 15168841 +CBCS, Box 2724, Columbus, OH 43216-2724
 15168842 +First Federal Credit Union, 24700 Chagrin Blvd Ste 2, Beachwood, OH 44122-5662
 15168846 +IC Systems, Box 64378, Saint Paul, MN 55164-0378
 15168846 +Midland Funding, c/o Hayt Hayt Landau, Meridian Center, 2 Industrial Way West, Eatontown, NJ 07724-2265
 15168847 +Midland Funding, 320 E Big Beaver Rd, Troy, MI 48083-1271
 15168849 +Pennymac, Box 30597, Los Angeles, CA 90030-0597
 15168851 +South Hills Gastro Assoc, 1200 Brooks Lane #10, Clairton, PA 15025-3747
 15168853 +State Collection, 2509 S Stoughton Rd, Madison, WI 53716-3314
 15168854 +State Collection Service, 2509 s. Stoughton Rd, Madison, WI 53716-3314
 15168862 +UPMC, Box 371472, Pittsburgh, PA 15250-7472
 15168864 +UPMC Shadyside Dental, 3459 Fifth Ave, Pittsburgh, PA 15213-3236
 15168865 +Waterfront Anesthesia, Box 49, Pittsburgh, PA 15230-0049
 15168866 +Waterfront Surgery Center, 495 E Waterfront Dr Ste 110, Homestead, PA 15120-1151

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr
 +E-mail/Text: kburkley@bernsteinlaw.com Jan 25 2020 02:45:46 Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
 cr
 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 25 2020 02:46:31 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15168832 +E-mail/Text: legal@arsnational.com Jan 25 2020 02:45:16 ARS National Services, Box 469046, Escondido, CA 92046-9046
 15168830 +E-mail/Text: ally@ebn.phinsolutions.com Jan 25 2020 02:45:08 Ally Financial, 200 Renaissance Center #80, Detroit, MI 48243-1300
 15168831 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2020 02:46:43 Amazon, Box 965015, Orlando, FL 32896-5015
 15168835 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 25 2020 02:46:30 Capital One Bank, 15000 Capital One Dr, Henrico, VA 23238
 15168834 +E-mail/Text: bankruptcy@usecapital.com Jan 25 2020 02:45:53 Capital Accounts, Box 140065, Nashville, TN 37214-0065
 15168837 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 25 2020 02:45:16 Comenity CB My Place, Box 182120, Columbus, OH 43218-2120
 15168838 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 25 2020 02:45:16 Comenity My Place, Box 182120, Columbus, OH 43218-2120
 15168839 +E-mail/Text: ccusa@ccuhome.com Jan 25 2020 02:45:07 Credit Collections, 16 distributor Dr Ste 2, Morgantown, WV 26501-7209
 15168840 +E-mail/PDF: creditonebknnotifications@resurgent.com Jan 25 2020 02:46:33 Credit One Bank, Box 98875, Las Vegas, NV 89193-8875
 15168843 E-mail/Text: cio.bncmail@irs.gov Jan 25 2020 02:45:12 IRS, 1000 Liberty Ave, Pittsburgh, PA 15222
 15168844 E-mail/Text: bncnotices@becket-lee.com Jan 25 2020 02:45:11 Kohls Capital One, N56 Ridgewood Dr, Menomonee Falls, WI 53051
 15168845 +E-mail/PDF: resurgentbknnotifications@resurgent.com Jan 25 2020 02:46:19 LVNV Funding Credit One, Box 1269, Greenville, SC 29602-1269
 15170514 E-mail/PDF: resurgentbknnotifications@resurgent.com Jan 25 2020 02:46:34 LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15168850 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 25 2020 02:46:31 Portfolio Recovery, 150 Corporate Blvd, Norfolk, VA 23502
 15181334 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 25 2020 02:46:18 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 15177187 E-mail/Text: RVSVBICNOTICE1@state.pa.us Jan 25 2020 02:45:24 Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg PA 17128-0946
 15168848 +E-mail/Text: RVSVBICNOTICE1@state.pa.us Jan 25 2020 02:45:25 Pennsylvania Dept of Revenue, Box 280946, Harrisburg, PA 17128-0946
 15168855 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2020 02:46:29 SYNC Levin, 950 Forrer Blvd, Dayton, OH 45420-1469
 15168856 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2020 02:46:43 SYNC Lowes, 950 Forrer Blvd, Dayton, OH 45420-1469
 15168858 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2020 02:46:15 SYNC Sams Club, Box 965005, Orlando, FL 32896-5005
 15168859 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2020 02:46:43 SYNC Toys r Us, Box 965005, Orlando, FL 32896-5005
 15168860 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2020 02:46:43 SYNC Walmart, Box 965024, Orlando, FL 32896-5024
 15168852 +E-mail/Text: bankruptcy@sw-credit.com Jan 25 2020 02:45:31 Southwest Credit System, 4120 International Parkway, Carrollton, TX 75007-1958
 15168857 +E-mail/PDF: gecsedirecoverycorp.com Jan 25 2020 02:46:43 Sync Old Navy, box 965005, Orlando, FL 32896-5005

District/off: 0315-2

User: gamr
Form ID: 149

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Total Noticed: 46

Date Rcvd: Jan 24, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15169365 +E-mail/PDF: gecsed@recoverycorp.com Jan 25 2020 02:46:15 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15168861 +E-mail/Text: bankruptcydepartment@tsico.com Jan 25 2020 02:45:45 Transworld Systems,
500 Virginia Dr, Fort Washington, PA 19034-2733
15168863 +E-mail/Text: BankruptcyNotice@upmc.edu Jan 25 2020 02:45:45 UPMC Mercy, 1400 Locust St,
Pittsburgh, PA 15219-5114

TOTAL: 29

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PENNYMAC LOAN SERVICES, LLC

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 26, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 24, 2020 at the address(es) listed below:

Brad L. Hamric on behalf of Debtor Jamie Aymar hamriclaw@comcast.net
James Warmbrodt on behalf of Creditor PENNYMAC LOAN SERVICES, LLC bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5